



House Bill No. 6885

Public Act No. 05-84

**AN ACT CONCERNING THE ADMINISTRATIVE PARDONS
PROCESS AND THE DUTIES OF THE BOARD OF PARDONS AND
PAROLES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (j) of section 54-124a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2005*):

(j) The chairperson, in consultation with the executive director, shall adopt regulations, in accordance with chapter 54, concerning:

(1) Parole revocation and rescission hearings that include implementing due process requirements;

(2) An administrative pardons process that allows an applicant convicted of a crime to be granted a pardon with respect to such crime without a hearing, unless a victim of such crime requests such a hearing, if such applicant was:

(A) Convicted of a misdemeanor and (i) such conduct no longer constitutes a crime, (ii) such applicant was under twenty-one years of age at the time of conviction and has not been convicted of a crime during the [ten] five years preceding the date on which the pardon is

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granted, or (iii) such conviction occurred prior to the effective date of the establishment of a program under sections 17a-692 to 17a-701, inclusive, section 46b-38c, 53a-39a, 53a-39c, 54-56e, 54-56g, 54-56i or 54-56j for which the applicant would have been eligible had such program existed at the time of conviction, provided the chairperson determines the applicant would likely have been granted entry into such program; or

(B) Convicted of a violation of section 21a-277, 21a-278 or 21a-279 and such applicant has not been convicted of a crime during the five years preceding the date on which the pardon is granted, provided such date is at least ~~[five]~~ ten years after the date of such conviction or such applicant's release from incarceration, whichever is later; and

(3) Requiring board members assigned to pardons hearings to issue written statements containing the reasons for rejecting any application for a pardon.

Sec. 2. Subsection (n) of section 54-124a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2005*):

(n) The chairperson of the Board of Pardons and Paroles shall: (1) Adopt an annual budget and plan of operation, (2) adopt such rules as deemed necessary for the internal affairs of the board, [(3) adopt regulations, in accordance with chapter 54, for the administration of the Interstate Parole Compact, and (4)] and (3) submit an annual report to the Governor and General Assembly.

Sec. 3. Subsection (e) of section 54-125e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2005*):

(e) If such violation is established, the board may: (1) Continue the [sentence] period of special parole; (2) modify or enlarge the conditions

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of special parole; or (3) revoke the sentence of special parole.

Approved June 2, 2005